

CYNTHIA ANNE DESTAFANO,

Plaintiff,

vs.

CARILLON ASSISTED LIVING,

Defendant.

THIS MATTER is before the Court *sua sponte* following the filing of Plaintiff's Amended Complaint (Doc. No. 5). Plaintiff, who appears pro se, initially filed her Complaint on October 9, 2018, and subsequently amended it by filing an Amended Complaint on October 24, 2018 (Doc. No. 3). Upon initial review, this Court ordered Plaintiff to furnish the Court with the Notice of Charge that she filed with the EEOC and to file a Second Amended Complaint "particularizing her claims and providing facts to support her legal claims and identifying the Defendants subject to suit." (Doc. No. 4, p. 4.) The Court allowed Plaintiff twenty days from service of that Order to comply. On December 18, 2018, Plaintiff submitted her Second Amended Complaint (Doc. No. 5), attaching the Notice of Charge filed with the EEOC, as well as other documents. The Court hereby finds that Plaintiff has complied with its prior order and summons should issue. This finding is based on initial review pursuant to 28 U.S.C. § 1915(e)(2) and is **without prejudice** to Defendant's ability to file any appropriate dispositive motion regarding the Second Amended Complaint.

1

form attached to Plaintiff's Original Complaint (Doc. No. 1-1). All costs of service shall be advanced by the United States. Any recovery in this action will be subject to payment of fees and costs, including service of process fees and the \$400.00 filing fee.

IT IS SO ORDERED.

Signed: December 18, 2018

A handwritten signature in cursive script, reading "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

